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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,368	12/20/2001	Hans Marmolin	1076.41016X00	3470

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EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,368

Applicant(s)

MARMOLIN ET AL.

Examiner

Cao (Kevin) Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Strasnick (US Patent No. 5,555,354)

Regarding claim 1, Strasnick discloses a display generating device configured to generate signals for a graphical display device, comprising a processor for modifying an image by spotlighting a region of the image relative to its surroundings using a trackable spotlight [selected files also have a spotlight beamed on them, the spotlight emanates from a fixed point in space; see col. 20, lines 29-34].

Regarding claim 2, Strasnick discloses wherein said spotlit region is brighter than its surroundings (see figure 4A).

Regarding claim 3, Strasnick discloses a device, wherein said spotlit region is a different colour from its surroundings (see 19, lines 15-25).

Regarding claim 4, Strasnick discloses a device, wherein a first object within said spotlit region has a relatively high contrast against said spotlit region and a second object within said surroundings has a relatively low contrast against said surroundings (see col. 19, lines 26-39).

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Regarding claim 5, Strasnick discloses a device, wherein a first object within said spotlight region is in sharper focus than a second object within said surroundings (see col. 19, lines 40-56).

Regarding claim 6, Strasnick discloses, wherein the spotlight is locatable so as to enclose partly or wholly a functional display region so as to permit selection thereof (see col. 20 , lines 1-67).

Regarding claim 7, Strasnick discloses wherein the spotlight has a diffuse boundary (see figure 4A).

As claims 8-9 are analyzed as previously discussed with respected to claims 3-7 above.

Regarding claims 10-11, Strasnick discloses a multimedia network terminal including a device and a multimedia network terminal, which is an internet-enabled digital television set top box (see col. 6, lines 33-61).

As claims 12-20 are analyzed as previously discussed with respected to claims 1-7above.

Regarding claims 21-24, Strasnick discloses the trackable spotlight which is movable within the image to permit selection of one of the objects of the image that fall between the spotlight; see col. 11, lines 1-67 and figures 4A-4B.

Response to Arguments

3. Applicant's arguments filed on 08/24/04 have been fully considered but they are not persuasive.

On page 8 of the Remarks, applicant argues that Strasnick does not teach or suggest “using a trackable spotlight which is movable about the image, wherein an object within

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surroundings is visible". However, the limitations as claimed set forth to rely upon "The information landscape is navigable. A user may move around or navigate within the 3D data representation to alter his perspective and view of the displayed representation of the data. Thus, a user may be referred to as a navigator. The navigator is actually stationary, and his view of the display space changes to give him the sensation of moving within the 3D graphical space. Thus, we speak in terms of the navigator's perceived motion when we refer to changes in his view of the display space. As the user moves, his view of the data changes accordingly within the 3D data representation. The main navigation modes are browsing, trekking, monitoring, towing, searching, and data manipulating. The present invention enables a user or navigator to browse within the information landscape. Browsing entails scanning the information landscape in search of points of interest, without a particular focus. The present invention enables navigator trekking as well. Trekking entails navigating to a particular, intended destination within the information landscape. Monitoring entails scanning a particular area with respect to the behavior of some parameter of interest; see col. 5, lines 36-67.

On page 9 of the Remarks, applicant argues that Strasnick does not teach or suggest "using focal point of a spotlight to select an object or a hypertextlink". However, the limitations as claimed set forth to rely upon "When the mouse is located over an object the object changes color so that it is highlighted. This is referred to as locate highlight. Locate highlight is performed in the overlay planes. Highlighting is performed at the exact location of the object being highlighted. When a directory is highlighted, the line leading to it is highlighted as well. If a parent directory is blocking part of a line, in the display space that part of the line is not drawn. The locate highlight of a file is drawn as a wire frame. Only the visible sides of a block

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are drawn. However, blocks in front of the file do not obscure it. The object is also highlighted as it appears in the overview window. Locate highlight is turned on and off respectively when entering and leaving the window. When a cell or data block is selected it is rendered in brighter colors or highlighted. Selected files also have a spotlight beamed on them as shown in FIG. 4B. In a preferred embodiment, the spotlight emanates from a fixed point in space; see Strasnick.

On page 10 of the Remarks, applicant argues that Strasnick does not teach or suggest “the trackable spotlight which is movable within the image to permit selection of one of the objects of the image that fall between the spotlight”. However, the limitations as claimed set forth to rely upon “As a navigator traverses the information landscape the mouse cursor moves over various data blocks and cells. Preferably the present invention highlights these data blocks and cells and displays the name of a selected data block or cell in the upper left hand corner of the selected data object as the navigator passes over it. Activating the left mouse button while an data object is highlighted selects the highlighted data object. When a cell is selected, the system brightens or highlights the selected cell and the connector line leading to it. A spotlight may also shine down on the selected cell from a point above the landscape, as illustrated in FIGS. 4A and 4B. Selecting a cell or data block also zooms the navigator's view into the selected cell so that it is visible at close range. If a data block is selected and the navigator wants to see the entire contents of the cell containing the data block, the navigator need only select the cell by clicking the mouse on the desired cell to view its contents. When a cell or data block is selected it is rendered in brighter colors or highlighted. Selected files also have a

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spotlight beamed on them as shown in FIG. 4B. In a preferred embodiment, the spotlight emanates from a fixed point in space; see Strasnick.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

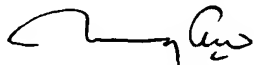
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

04/16/05